

Section 1886(d)(4)(C)(iv) of the Act also requires that I include in my report recommendations with respect to adjustments to the diagnosis-related group (DRG) weighting factors. At this time I do not anticipate recommending any adjustment to the DRG weighting factors for FY 1996.

I would be pleased to discuss this recommendation with you. I am also sending a copy of this letter to the President of the Senate.

Sincerely,

Donna E. Shalala.

5. On page 29380, appendix D, second column, the second full paragraph is removed and the following added in its place:

In its March 1, 1995 report, ProPAC recommended update factors to the standardized amounts equal to the percentage increase in the market basket minus 1.8 percentage points for hospitals in both large urban and other areas. Based on its current market basket rate of increase estimate of 3.4 percent, ProPAC's recommended update to the standardized amounts equals 1.6 percent for hospitals in both large urban and other areas. ProPAC recommended that the update for the hospital-specific rates applicable to sole community hospitals be the same factor as the rate for all other prospective payment hospitals. This recommendation would result in a 1.6 percent update to the hospital-specific rates. The components of ProPAC's update factor recommendations are described in detail in the ProPAC report, which is published as Appendix E to this document. We discuss ProPAC's recommendations concerning the update factors and our responses to these recommendations below.

6. On page 29380, appendix D, section III is corrected up to the *Response* on page 29381, column 1 as follows:

### III. ProPAC Recommendation for Updating the Prospective Payment System Standardized Amounts

For FY 1996, ProPAC recommends that the standardized amounts be updated by the following factors:

- The projected increase in the HCFA hospital market basket index, currently estimated at 3.5 percent, with an adjustment of -0.1 percentage points to account for the different wage and salary price proxies used for the ProPAC market basket rate of increase.

- A negative adjustment of 1.8 percentage points to correct for substantial error in the FY 1994 market basket forecast;

- A positive adjustment of 0.3 percentage points to reflect the cost-increasing effects of scientific and technological advances;

- A negative adjustment of 0.3 percentage points to encourage hospital productivity improvements; and

- A net adjustment of zero percentage points for case-mix change in FY 1995.

Overall, the net increase employing the above factors is the percentage increase in the hospital market basket minus 1.9 percentage points. Based on HCFA's market basket estimate of 3.5 percent, ProPAC recommends that hospitals in large urban and other areas receive a 1.6 percent update.

7. On page 29383, Table 1—Comparison of FY 1996 Update Recommendations is removed and the following added in its place:

TABLE 1.—COMPARISON OF FY 1996 UPDATE RECOMMENDATIONS

	HHS	ProPAC
Market Basket .....	MB	MB
Difference Between HCFA & ProPAC Market Baskets .....		-0.1
Subtotal .....	MB	MB-0.1
Policy Adjustment Factors Productivity .....	-0.7 to -0.8	-0.3
Intensity .....	0.0	
Science and Technology .....		+0.3
Practice Patterns ..		(1)
Real Within DRG Change .....		(2)
Subtotal .....	-0.7 to -0.8	+0.0
Case Mix Adjustment Factors: Projected Case Mix Change .....	-0.8	-1.0
Real Across DRG Change .....	0.8	+0.8
Real Within DRG Change .....	(3)	+0.2
Subtotal .....	0.0	0.0
Effect of 1994 Reclassification and Recalibration .....	-0.3	—
Forecast Error Correction .....	-1.8	-1.8
Total Recommended Update	MB-2.8 to MB-2.9	MB-1.9

(1) Included in ProPAC's Productivity Measure.

(2) Included in ProPAC's Case Mix Adjustment.

(3) Included in HHS's Intensity Factor.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: July 21, 1995.

Neil J. Stillman,

Deputy Assistant Secretary for Information Resources Management.

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BILLING CODE 4120-01-P

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 46 CFR Parts 5, 10, 12, and 15

[CGD 95-062]

#### International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as revised by the 1995 Amendments to It

AGENCY: Coast Guard, DOT.

ACTION: Notice of public meeting, availability of documents, and request for comments.

**SUMMARY:** The Coast Guard is holding a public meeting to discuss the outcome of the 1994 Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), which adopted comprehensive amendments to the Annex to STCW. The amendments are scheduled to come into force on February 1, 1997, and they may affect virtually all phases of the system used in the United States to train, test, evaluate, document, and license merchant mariners. The meeting will provide an opportunity for the public to comment on the steps that the Coast Guard considers necessary to implement the requirements of STCW as amended under the laws of the United States, including regulations of the Coast Guard.

**DATES:** The meeting will be held August 31, 1995, from 9:30 a.m. to 2:30 p.m. Written comments must be received not later than September 29, 1995.

**ADDRESSES:** The meeting will be held in room 2415, Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001. Written comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA), U.S. Coast Guard, 2100 Second Street SW., Washington DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments will become part of this docket [CGD 95-062] and will be available for inspection or copying at

room 3406, Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. A copy of the 1995 Amendments to STCW may be obtained by writing Commandant (G-MOS), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, or by calling (202) 267-0214, between 8 a.m. and 3 p.m. Monday through Friday, except Federal holidays. Requests may also be submitted by facsimile at (202) 267-4570.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Christopher Young, Operating and Environmental Standards Division (G-MOS), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, telephone (202) 267-0214.

**SUPPLEMENTARY INFORMATION:**

**Background and Discussion**

On July 7, 1995, a Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), meeting at the International Maritime Organization in London, adopted a package of Amendments to STCW. The amendments will enter into force on February 1, 1997, unless a third of the parties to the Convention, or parties representing over 50 percent of the world's shipping tons, object to them by August 1, 1996. Because they were adopted unanimously by the Conference, no objections are expected. Consequently, the Coast Guard is taking necessary steps to implement them, to ensure that U.S. documents and licenses are issued in compliance with them.

The Coast Guard will hold a public meeting on August 31, 1995, to discuss the outcome of the Conference and seek public comment on how the 1995 Amendments to STCW, adopted by the Conference, should be implemented. Comments are invited not only on the substance of any new requirements but also on the economic impact of meeting the requirements, whether on individuals, maritime training, owners and operators of vessels, small businesses, or others.

The Coast Guard must consider revising the current regulations on licensing and documentation (46 CFR Parts 5, 10, 12, and 15) as well as those on workhours and watchkeeping (46 CFR Part 15) to reflect the requirements of the 1995 Amendments to STCW. The following is a list of the most significant changes necessary to the regulations:

1. All candidates for STCW certificates (i.e., licenses and documents for service on seagoing ships) will have to undergo approved training and assessment of competence.

2. Virtually all training will be subject to a system of approval and independent monitoring under standards of quality. Persons engaged in training, whether on board ship or at shore-side training facilities, will have to meet qualification standards. Many will have to use a training-record book.

3. Assessment of competence will involve both examination, to verify a sufficient level of knowledge and understanding of essential subjects, and demonstration of practical skills. Persons engaged in assessment of competence, whether on board ship or at shore-side assessment facilities, will themselves have to meet qualification standards. They will have to document proof of candidates' successful demonstration of skills.

4. Simulators used in training or assessment must meet certain performance standards.

5. All persons employed or engaged on seagoing vessels (i.e., all persons on board except passengers) will have to undergo familiarization training to ensure they can look after themselves in the event of an emergency or a life-threatening situation. Persons responsible for safety or pollution prevention (i.e., the required crew complement, as well as those with assigned safety duties) will have to get additional basic training in safety, including firefighting. Persons responsible for medical care must also meet certain standards.

6. All persons employed or engaged on seagoing vessels must meet certain standards of medical fitness.

7. Current standards for unlicensed seamen must be reviewed to ensure they reflect the 1995 Amendments to STCW relating to ratings for those who are members of navigational watches on ships of 500 gross tons or more, or those who are members of engine-room watches or are designated to perform duties in periodically unmanned engine-rooms on seagoing ships powered by propulsion machinery of 750 kW [1000 hp] or more.

8. Watchkeeping personnel must receive a minimum of rest. Masters must arrange watchkeeping adequate for safe watches.

9. Suspension-and-revocation procedures must enable the taking of appropriate action against a licensed or documented person who has (a) allowed a shipboard function to be performed by a person not holding a required STCW certificate or (b) certified that a skill has been properly demonstrated when it has not, or when it has not been directly observed.

10. Companies must ensure that new crewmembers are familiarized with

ship-specific equipment, procedures, and other arrangements necessary for performing their jobs.

11. New regulations may be necessary to address the special provisions governing personnel on tankers and on ro-ro passenger ships.

12. New policy will be necessary to implement expanded port-state control.

Beyond the above, specific revisions will be necessary to ensure that requirements for being issued a license or document under domestic regulations fully meet those of the 1995

Amendments to STCW. For example, officers of the navigational watch will need training in the use of Automatic Radar Plotting Aids (ARPA) for service on ships fitted with ARPA. Also, such officers will have to hold radio operators' certificates valid under the Global Maritime Distress and Safety System (GMDSS) for service in ships operating in the GMDSS.

In revising domestic regulations, the Coast Guard should consider harmonizing the license categories with the structure outlined in the 1995 Amendments to STCW, which is as follows:

**Deck Department**

1. Officers of the navigational watch on ships of 500 gross tons or more.

2. Officers of the navigational watch on ships of less than 500 gross tons not engaged on near-coastal voyages.

3. Officers of the navigational watch on ships of less than 500 gross tons engaged on near-coastal voyages.

4. Masters and Chief Mates on ships of 3000 gross tons or more.

5. Master and Chief Mates on ships of between 500 and 3000 gross tons.

6. Masters on ships of less than 500 gross tons not engaged on near-coastal voyages.

7. Masters on ships of less than 500 gross tons engaged on near-coastal voyages.

**Engine Department**

1. Officers in charge of the engineering watch in manned engine-rooms.

2. Designated duty engineers in periodically unmanned engine-rooms.

3. Chief engineer officers of ships powered by main propulsion machinery of 3,000 kW [4000 hp] or more.

4. Second engineer officers of ships powered by main propulsion machinery of 3,000 kW [4000 hp] or more.

5. Chief engineer officers of ships powered by main propulsion machinery of between 750 kW [1000 hp] and 3,000 kW [4000 hp].

6. Second engineer officers of ships powered by main propulsion machinery

of between 750 kW [1000 hp] and 3,000 kW [4000 hp].

Likewise, in revising domestic regulations, the Coast Guard should consider applying the standards of competence set out in tables in the 1995 Amendments to STCW, by incorporating those tables by reference into the appropriate sections of the revised regulations.

The above subjects will be open for discussion and comment at the meeting on August 31. Any comments received at the meeting or in response to this notice will be taken into account in the development of implementing regulations.

Attendance at the meeting is open to the public. Members of the public may make oral presentations during the meeting. Persons wishing to make oral presentations should notify the person listed above under **FOR FURTHER INFORMATION CONTACT** no later than the day before the meeting. Written material may be submitted before, during, or after the meeting.

Dated: July 27, 1995.

**J.C. Card,**

*Rear Admiral, U.S. Coast Guard Chief, Office of Marine Safety, Security and Environmental Protection.*

[FR Doc. 95-19006 Filed 8-1-95; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 95-124, RM-8573]

#### Radio Broadcasting Services; Atlantic, IA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Wireless Communications Corp. seeking the allotment of Channel 239C3 to Atlantic, IA, as the community's first local FM transmission service. Channel 239C3 can be allotted to Atlantic in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 41-24-00 North Latitude and 95-00-54 West Longitude.

**DATES:** Comments must be filed on or before September 18, 1995, and reply comments on or before October 3, 1995.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the

FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Barry A. Friedman, Esq., Semmes, Bowen & Semmes, Suite 900, 1025 Connecticut Avenue, NW., Washington, DC 20036 (Counsel to petitioner).

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-124, adopted July 20, 1995, and released July 28, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**Douglas W. Webbink,**

*Chief, Policy and Rules Division, Mass Media Bureau.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

RIN 2127-AF49

#### Federal Motor Vehicle Safety Standards; Termination of Rulemaking

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Termination of rulemaking.

**SUMMARY:** This notice terminates rulemaking in response to a petition filed by Karen Slay, asking that NHTSA require manufacturers of pickup trucks to place some kind of warning or recommendation on the cargo beds and in the owner's manual "stating the dangers of passengers riding in the cargo area of these vehicles." Pickup manufacturers have agreed to include in their owners' manuals clear and specific warnings about the dangers of riding in cargo areas of vehicles and to join with the agency, vehicle dealers, and other interested organizations in a broad-based effort to educate the public about the dangers associated with riding in the cargo areas of vehicles. In these circumstances, NHTSA has concluded that no regulatory action is needed at this time.

**FOR FURTHER INFORMATION CONTACT:** Stephen Kratzke, Office of Vehicle Safety Standards, NHTSA (NPS-10), 400 Seventh Street, S.W., Washington, DC 20590. Mr. Kratzke can be reached by telephone at (202) 366-5203 or FAX at (202) 366-4329.

**SUPPLEMENTARY INFORMATION:** Karen Slay, a Lubbock, Texas housewife and mother of four, filed with NHTSA a petition for rulemaking dated October 13, 1994. In this petition, Ms. Slay requested that NHTSA require manufacturers of pickup trucks to place some kind of warning or recommendation on the cargo beds and in the owner's manual "stating the dangers of passengers riding in the cargo area of these vehicles." Ms. Slay referred to a July 3, 1994 crash in Scurry County, Texas, in which eight children were killed and four others seriously injured. These 12 children were riding in the cargo bed of the pickup and all were ejected upon impact.

Ms. Slay indicated her understanding that State, not Federal, laws and regulations address how vehicles may be operated on the public roads. She stated that she has begun a "campaign or crusade" to get the law in her home State of Texas changed as it relates to persons riding in the cargo bed of pickups, "so that Texas children do not lose their lives as innocent victims." However, Ms. Slay believed that a Federal requirement for a warning label and information in the owner's manual would serve a useful purpose by alerting persons to the hazards of riding in the cargo bed. In addition, Ms. Slay indicated her belief that not one pickup designer ever intended for the cargo area to be used for passengers.

NHTSA began its consideration of this request by determining the size of the safety problem. From 1983 to 1993,